

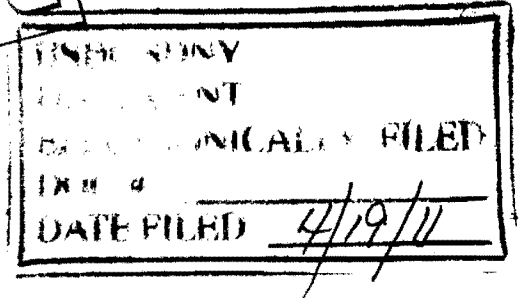
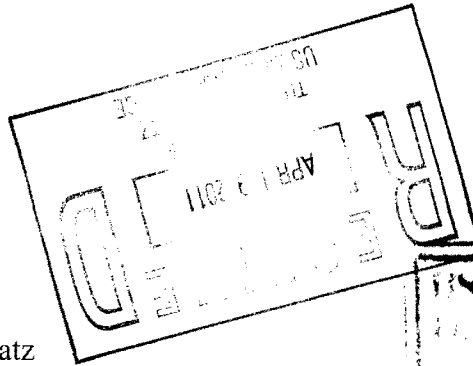


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April 18, 2011

VIA FEDERAL EXPRESS

Magistrate Judge Theodore H. Katz
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312



Re: Anwar, et al. v. Fairfield Greenwich Ltd., et al., Master Case No. 1:09-cv-00118-VM; Da Silva Ferreira, et al. v. EFG Capital International Corp., et al., Member Case No. 11-cv-00813-VM

Dear Judge Katz:

This law firm represents Defendant EFG Capital International Corp. ("EFG Capital") in the above referenced matter. The case was recently transferred from the United States District Court for the Southern District of Florida to this Multidistrict Litigation pursuant to the MDL Panel's Order of Transfer dated February 7, 2011.

The purpose of this letter is to request permission to file a surreply opposing Plaintiffs' Motion for Class Certification based on the parties' agreement. Prior to transfer, the parties were engaged in briefing the issue of class certification. Plaintiffs filed a Motion for Class Certification, EFG Capital filed a Response, and Plaintiffs filed a Reply in Support of Class Certification. The parties agreed that EFG Capital would not oppose Plaintiffs' request to file a reply that exceeded the ten-page limitation by another twenty pages. In return, Plaintiffs agreed they would not to oppose EFG Capital's request to file a surreply. Both parties requested leave from the Southern District of Florida accordingly. However, before the Southern District of Florida ruled on either party's motion for leave, this case was transferred to the Southern District of New York. Although the Southern District of Florida had not ruled on Plaintiffs' motion for leave to file a reply in excess of the ten-page limit, Plaintiffs filed their 29-page Reply so as not to miss the deadline for filing a reply. Plaintiffs' Reply was filed under seal pursuant to parties' confidentiality agreement, which had been approved by the Southern District of Florida.

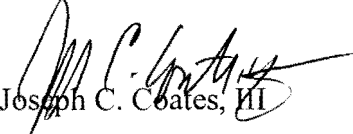
On April 4, 2011, Plaintiffs requested permission from this Court to file an unsealed version of their Reply in Support of the Motion for Class Certification, which was previously filed under seal in the Florida District Court. On April 5, 2011, this Court granted Plaintiffs' request to re-file their Reply, unsealed and with redacted replacement exhibits.

Magistrate Judge Theodore H. Katz
United States District Court
Southern District of New York
April 18, 2011
Page 2

Consistent with the parties' agreement, EFG Capital respectfully requests leave from this Court to file a surreply to Plaintiffs' Reply in Support of Class Certification. EFG Capital requests leave because Plaintiffs' 29-page Reply brief is not limited to rebuttal of matters raised in EFG Capital's Response but raises new arguments, facts and case law not raised in Plaintiffs' original Motion. A surreply will also provide the Court the benefit of full briefing on the class certification issues. EFG Capital requests that the surreply not exceed 15 pages and be filed within 20 days after the Court grants leave.

Thank you for your consideration.


Respectfully,


Joseph C. Coates, III
JCC/lwh

cc: Judge Victor Marrero (via FedEx)
All counsel in *Da Silva Ferreira* (via email)

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SO ORDERED

4/19/11

THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE